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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/611,158

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Richard A. Floyd

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02/03/2004

EXAMINER

CHANG, JUNGWON

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ART UNIT

PAPER NUMBER

2154

DATE MAILED: 02/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Page

Office Action Summary

Application No.

09/611,158

Applicant(s)

FLOYD ET AL.

Examiner

Jungwon Chang

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-12,14-23 and 25-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-12,14-23 and 25-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) ☐ Other: _____

FINAL ACTION

1. Claims 4, 13 and 24 are cancelled; claims 1, 11 and 21 are amended. Claims 1-3, 5-12, 14-23 and 25-29 are presented for examination.

2. The text of those sections of Title 35, U.S. Code not included in this office action can be found in a prior office action.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1, 2, 4-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. The claim language in the following claim is not clearly understood:

i. as to claim 1, line 10, it is not clearly understood what is meant by "a content provider that lacks content data so formatted" (i.e., If it is intended to mean that the content provider does not provide the response formatted for the client device, then it is unclear who or which device is sending the response?)

5. Claims 1-3, 5-12, 14-23 and 25-29 are rejected under 35 U.S.C. 103(a) as being

Mohan et al, "Multimedia content customization for universal access", November 1998, SPIE Photonics East, page 1-9, hereinafter Mohan.

6. As to claims 1 and 21, Mohan discloses the invention substantially as claimed, including a method of formatting content data for presentation on a client device (Abstract), comprising:

receiving a request for the content data (Request, fig. 1), the request having client device characteristic information (Client device characteristics, fig. 1; page 4, paragraph 1; page 7, section 2.7; page 8, paragraph 1);

storing the client device characteristic information (page 4, paragraph 1, lines 6-8; page 7, section 2.8);

generating content data (page 4, section 2.3; page 5, section 2.4); and
transcoding the content data using the client device characteristic information to produce transcoded content data (page 5, section 2.5; page 6, section 2.6; page 9, paragraphs 1, 2).

whereby a user can receive a response formatted for a specific client device (page 8, paragraph 1, lines 4-9).

7. Mohan does not specifically use term "generic content data". However, Mohan discloses multimedia document in HTML or XML format (fig. 2; page 5, paragraph 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include generic content data because Mohan's multimedia document would

allow a user to receive the requested content data in any form of video, audio, or text format.

8. As to claim 11, it is rejected for the same reasons set forth in claims 1 and 21 above. In addition, Mohan discloses preamble servlet (page 7, paragraph 4, lines 1-7).

9. As to claims 2, 5, 12, 14, 22 and 25, Mohan discloses storing the client device characteristic information is performed in a preamble servlet (page 4, paragraph 1, lines 6-8; page 8, paragraph 1).

10. As to claims 3 and 23, Mohan discloses transcoding is performed by a transcoding servlet that obtains the client device characteristic information from the preamble servlet (page 2, paragraphs 2 and 6; page 5, sections 2.5 – page 6, section 2.6).

11. As to claims 6, 15 and 26, Mohan discloses generating a response message including the transcoded content data and transmitting the response message to the client device (page 7, section 3).

12. As to claims 7, 16 and 27, Mohan discloses request is a hypertext transport protocol request message and the client device characteristic information is obtained from a header of the hypertext transport protocol request message (page 4, paragraph 1).

13. As to claims 8, 17 and 28, they are rejected for the same reasons set forth in claims 1 and 21 above.

14. As to claims 9 and 18, Mohan discloses header includes at least the client device type and one or more of user identification, passwords, uniform resource locator (URL) requested and Hypertext Transfer Protocol (HTTP) method used (page 4, paragraph 1, lines 4-8).

15. As to claims 10 and 20, Mohan discloses network server (page 7, paragraphs 2 and 4).

16. As to claims 19 and 29, Mohan further discloses preamble servlet (page 7, paragraph 4, lines 1-7).

17. Applicant's arguments filed 11/26/03 have been fully considered but they are not persuasive.

18. In the remarks, applicants argued in substance that

(1) Mohan does not reach these limitations because Mohan solves this problem by requiring the content provider to store a number of copies of the media content, where each copy is designed to be used on a given type of display device.... In contrast, the instant application, in claim 1, dynamically converts the information as needed, and does not rely on the content provider to take action.

19. Examiner respectfully traverses applicants' remark.

As to point (1), In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., dynamically converts or dynamic response) are not recited in the rejected claim(s).

20. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is (703)305-9669. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703)308-9052. The fax phone numbers for

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the organization where this application or proceeding is assigned are (703)746-7239 for regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-9669.

 JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Jungwon Chang
January 28, 2004